

REMARKS

Claims 1 - 30 are pending in the application. Claims 1 – 30 are rejected. Claims 1 - 30 remain.

Reconsideration of the pending claims is respectfully requested in view of the following remarks.

Claims 1-3, 6-7, 10-12 and 15-16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,055,167 to Masters (hereinafter “Masters”) in view of WO 00/40021 to Montie et al. (hereinafter “Montie”). Claims 4-5, 8-9, 13-14 and 17-18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Masters and Montie in view of U.S. Patent No. 7,212,730 to Boston et al. (hereinafter “Boston”). Claims 19-23 and 25-29 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Masters in view of U.S. Patent Publication No. 20030126600 to Heuvelman (hereinafter “Heuvelman”) further in view of Montie, the Examiner contending Montie provides the element argued in the last Response to Office Action, missing from the primary reference, Masters. That is, an EPG which contains programming information for only a single channel, i.e., the personal channel, and generated by the invented method or apparatus rather than be created externally.

In this connection, Applicant notes Montie discloses an EPG module 14 which collects information about channels available in received broadcast streams and about the programs scheduled for these channels. The EPG module uses the information to generate an on-screen overview of programs scheduled for the channels in the received broadcast streams. See page 5, lines 15-20. Thus, the EPG module 14 as described in Montie is essentially the same as the EPG

module of the prior art such as Masters. That is, the EPG module generates an on-screen overview of programs scheduled for the channels in received broadcast streams. There is no filtering of the displayed information based on usage history as required by, for example, claim 1, or any other mechanism.

However, Montie discloses a schedule module 16 for composing a personal program schedule for any of what Montie refers to as virtual channels, which program schedule may be composed in response to a user command or automatically on a daily basis. Although the user profile is described in Montie at page 5 beginning in line 29, it does not appear to be based upon usage history as required by the claims. For example, at the top of page 6, it is indicated that users are allowed to add, remove or alter guidelines by means of the user command unit, or guidelines may be pre-stored by the manufacturer.

Further, Montie's scheduler 16 is capable of composing a personal program schedule based upon information contained in the EPG of Montie. However, the scheduler merely schedules all desired broadcast programs in accordance with the user profile between a specified start time and end time. See Montie page 6, lines 16-17. Thus, although it appears that a user may be able to view pre-recorded programs based upon the results of scheduler 16 of Montie, there does not appear to be any capability for the user to select a particular program of interest from an EPG containing only a set of programs of interest, i.e., an EPG containing only personal channel programming.

While such usage history is arguably provided by Masters, the claims require the generation of a personalized EPG so that the user can select the program desired to be watched from among a set of programs, all of which are of interest to the user based upon the user's usage

history. In this connection, neither Masters nor Montie teach or suggest an EPG containing only programs based upon usage history as required by the claims.

Accordingly, reconsideration and withdrawal of the above rejections is respectfully requested.

In view of the foregoing, it is submitted that Claims 1-30 patentably define the subject invention over the cited references of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes a telephone conference would be useful in moving the case forward, he is encouraged to contact the undersigned at (310) 207-3800.

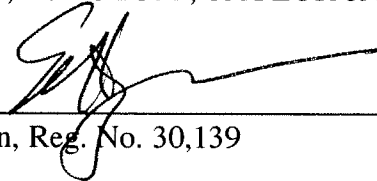
If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. If a telephone interview would expedite the prosecution of this Application, the Examiner is invited to contact the undersigned at (310) 207-3800.

Dated: _____

9/3/08

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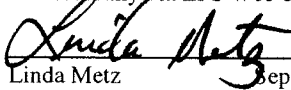
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Linda Metz

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